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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY M. BENTLEY, Individually, and on
behalf of All Persons Similarly Situated :
Plaintiff, :
v. : 11 Civ. 8963 (CM)
THE WELLPOINT COMPANIES, INC.; and, :
NATIONAL GOVERNMENT SERVICES, INC., :
Defendants. :
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NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying (1) Memorandum of Law in Support of Defendants' Motion to Dismiss and (2) the Declaration of Peter Reisman dated January 11, 2012, Defendants Wellpoint, Inc. and National Government Services, Inc. (together, "Defendants"), by their attorney, Preet Bharara, United States Attorney for the Southern District of New York, hereby moves this Court for an order dismissing the Complaint in *Bentley v. The Wellpoint Companies, Inc., et al.*, 11 Civ. 8963 for lack of jurisdiction under Fed. R. Civ. P. 12 (b)(1) and failure to state a claim under Fed. R. Civ. P. 12(b)(6).

Dated: New York, New York
January 12, 2012

PREET BHARARA
United States Attorney for the
Southern District of New York,
Attorney for Federal Defendants

By: /s/ Ellen London
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CERTIFICATE OF SERVICE

I, Ellen London, an Assistant United States Attorney for the Southern District of New York, hereby certify that on January 12, 2012, I caused a copy of the foregoing (1) Memorandum of Law in Support of Defendants' Motion to Dismiss; (2) the Declaration of Peter Reisman dated January 11, 2012; (3) Notice to Pro Se Litigant Who Opposes a Rule 12(b) Motion Supported By Matters Outside the Pleadings; and (4) copies of any unpublished opinions cited in the Memorandum of Law to be served upon the person named below by email and by First-Class Mail:

A.M. Bentley, P.C.
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Dated: New York, New York
January 12, 2012

/s/ Ellen London
ELLEN LONDON
Assistant United States Attorney